

COUNTY OF  
UNITED STATES DISTRICT COURT

INDEX NO: 07 Civ.7958 (HB)

FILED ON:

DISTRICT: Southern/NY

*United States of America*

vs

Plaintiff(s)

*Joseph Heaven, et. al.*

Defendant(s)

STATE OF NEW YORK, COUNTY OF ALBANY, SS.:

**AFFIDAVIT OF SERVICE  
BY THE SECRETARY OF STATE**

Shayne Collen, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on June 5, 2008, at 8:45am, at the office of the Secretary of State of the State of New York in the City of Albany, New York, deponent served the annexed

Summons in a Civil Case, Amended Complaint, Guidelines For Electronic Case

Filing and Instructions and Procedures for Electronic Case Filing, on  
Heavenly Apparel, Inc.

Defendant in this action, by delivering to and leaving with Carol Vogt, Authorized Agent, in the Office of the Secretary of State of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State the statutory fee, if required. Service was made pursuant to Section 306 Business Corporation Law.

Service was completed by mailing notice of such service and one (1) true copy thereof by  Registered or  
 1st Class Mail and Certified Mail, # \_\_\_\_\_, Return Receipt Requested on \_\_\_\_\_  
 to said defendant at: \_\_\_\_\_

Papers so served were properly endorsed with the index number and date of filing.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 47 years Approx. weight: 110 lbs. Approx. Ht.: 5' 1"

Sex: Female Color of skin: White Color of hair: Brown Other: \_\_\_\_\_

Sworn to before me on June 6, 2008

MARCY A. O'HARE  
NOTARY PUBLIC, State of New York  
No. 4865530, Qualified in Albany County  
Term Expires July 14, 2010

Shayne Collen

Invoice•Work Order # 0804603